LEGAL DESCRIPTION

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARJER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., -- DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE -WEST ALONG THE NORTH LINE THEREOF, 960 FEET, MORE OR LESS, TO THE EAST BOUNDARY OF PRIVATE ROAD; THENCE SOUTH 330 FEET; THENCE "EAST_960 FEET TO THE EAST LINE_OF SAID SUBDIVISION: THENCE NORTH ALONG SAID EAST LINE, 330 FEET TO THE POINT OF BEGINNING.

EXCEPT- COUNTY ROAD KNOWN AS 47TH AVENUE NORTHEAST.

SITUATE IN THE COUNTY-OF SNOHOMISH, STATE-OF WASHINGTON.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT HIMTLAYT HOMES, INC., A WASHINGTON CORPORATION, THE UNDERSIGNED OWNER IN FEE SIMPLE OF THE LAND HEREBY PLATTED, HEREBY DECLARE THIS PLAT AND DEDICATE TO THE PUBLIC FOREVER ALL STREETS, AVENUES, PLACES AND SEWER EASEMENTS OB WHATEVER PUBLIC PROPERTY-THERE'S SHOWN ON THE PLAT AND THE USE FOR ANY AND ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES. ALSO, THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR-CUTS AND FILLS-UPON LOTS, BLOCKS, TRACTS, ETC. SHOWN ON THIS PLAT IN THE REASONABLE ORIGINAL GRADING OF ALL THE STREETS, AVENUES, PLACES, ETC. HEREON. ALSO, THE RIGHT. TO DRAIN ALL STREETS OVER, AND ACROSS ANY LOT- OR LOTS WHERE- WATER-MIGHT-TAKE A NATURAL COURSE AFTER THE STREET OR STREETS ARE GRADED. ALSO, ALL CLAIMS FOR DAMAGE AGAINST ANY GOVERNMENTAL AUTHORITY ARE WAIVED WHICH MAY BE OCCASIONED TO THE ADJACENT LAND BY THE ESTABLISHED CONSTRUCTION, DRAINAGE, AND MAINTENANCE OF SAID ROADS.

FOLLOWING ORIGINAL REASONABLE GRADING OF ROADS AND WAYS HEREON, NO DRAINAGE WATERS ON ANY LOT OR LOTS SHALL BE DIVERTED OR BLOCKED FROM-THEIR NATURAL COURSES SO AS TO DISCHARGE UPON ANY PUBLIC ROAD RIGHTS-OF-WAY TO HAMPER PROPER ROAD DRAINAGE. THE OWNER OF ANY LOTTOR LOTS, PRIOR TO MAKING ANY ALTERATION IN THE DRAINAGE SYSTEM AFTER THE RECORDING OF THE PLAT, MUST MAKE APPLICATION TO AND RECEIVE APPROVAL FROM THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS FOR SAID ALTERATION. ANY ENCLOSING OF DRAINAGE WATERS IN CULVERTS OR DRAINS OR REROUTING THEREOF ACROSS ANY LOT AS MAY BE UNDERTAKEN BY OR FOR THE OWNER OF ANY LOT SHALL BE DONE BY AND AT THE EXPENSE OF SUCH OWNER.

THAT SAID DEDICATION TO THE PUBLIC SHALL IN NO WAY BE CONSTRUED TO PERMIT A RIGHT OF DIRECT ACCESS TO 47TH AVENUE N.E. FROM LOTS NUMBERED 8. 9. 10 & 11. NOR SHALL THE COUNTY OF SNOHOMISH OR ANY OTHER GOVERNMENTAL AGENCY WITHIN WHICH THE PROPERTY IS OR MAY BECOME LOCATED EVER BE REQUIRED TO GRANT A PERMIT TO BUILD OR CONSTRUCT AN ACCESS OF APPROACH TO SAID STREET-FROM SAID LOTS.

TRACT 999 IS HEREBY GRANTED AND CONVEYED TOGETHER WITH ALL MAINTENANCE OBLIGATIONS TO LOTS 1 THROUGH 32, WITH AN EQUAL AND UNDIVIDED INTEREST UPON THE RECORDING OF THIS PLAT TOGETHER WITH AN EMERGENCY MAINTENANCE EASEMENT GRANTED AND CONVEYED TO SNOHOMISH COUNTY. THIS TRACT SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT.

TRACT 998, THE STORM WATER DETENTION FACILITY. IS HEREBY GRANTED AND CONVEYED TOGETHER WITH ALL MAINTENANCE OBLIGATIONS TO LOTS 1 THROUGH 32, WITH AN EQUAL AND UNDIVIDED INTEREST UPON THE RECORDING OF THIS PLAT TOGETHER WITH AN EMERGENCY MAINTENANCE EASEMENT GRANTED AND CONVEYED TO SNOHOMISH COUNTY. THIS TRACT SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT.

IN WITNESS WHEREOF WE SET OUR HANDS AND SEALS THIS /4 DAY OF NOVEMBER 2001

HIMALAYA HOMES, INC.

A WASHINGTON CORPORATION

STATE OF WASHINGTON)

COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT

PARPIA IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT (HE/SHE/THEY) SIGNED THIS INSTRUMENT, ON OATH STATED THAT (HE/SHE/THEY) WAS/WERE AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS OF HIMALAYA HOMES, A WASHINGTON CORPORATION. TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: 111401

STATE OF WASHINGTON AGOMMISSION EXPIRES

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

RESIDING AT Everett WA

MY APPOINTMENT EXPIRES: 81902

RESTRICTIONS

THE NATIVE GROWTH PROTECTION AREA IS TO BE LEFT PERMANENTLY UNDISTURBED IN A SUBSTANTIALLY NATURAL STATE. NO CLEARING, GRADING, FILLING, BUILDING CONSTRUCTION OR PLACEMENT, OR ROAD CONSTRUCTION OF ANY KIND SHALL OCCUR, EXCEPT FOR REMOVAL OF HAZARDOUS TREES. THE ACTIVITIES SET FORTH IN SCC 32.10110(29) (A), (C) AND (D) ARE ALLOWED WHEN APPROVED BY THE COUNTY.

NO BUILDING MAY BE CONSTRUCTED BETWEEN ANY BUILDING SETBACK LINE OR BUFFER AND THE ADJOINING NATIVE GROWTH PROTECTION AREA OR

BOUNDARY. NO FURTHER SUBDIVISION OF ANY LOT WITHOUT RESUBMITTING FOR FORMAL PLAT PROCEDURE.

THE SALE OR LEASE OF LESS THAN A WHOLE LOT IN ANY SUBDIVISION PLATTED AND FILED UNDER TITLE 19 OF SNOHOMISH COUNTY CODE IS EXPRESSLY PROHIBITED EXCEPT IN COMPLIANCE WITH TITLE 19 OF SNOHOMISH COUNTY CODE.

Surveying & Land Consulting, 135th Avenue Northeast IX04EX Arlington, Washington

Fax: (360) 435-5599 Telephone: (360) 435-4566;

EVERGREEN MEADOWS

IN THE NW 1/4 OF THE SE 1/4, SECTION 16, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., COUNTY OF SNOHOMISH, STATE OF WASHINGTON PFN 99-110457 SD

ALL LANDSCAPED AREAS IN PUBLIC RIGHT-OF-WAY, IF ANY, SHALL BE MAINTAINED BY THE DEVELOPER OR HIS SUCCESSOR(S) AND MAY BE REDUCED OR ELIMINATED IF DEEMED NECESSARY FOR OR DETRIMENTAL TO COUNTY ROAD PURPOSES.

6. PRIOR APPROVAL MUST BE OBTAINED FROM THE DIRECTOR OF PUBLIC WORKS BEFORE ANY STRUCTURES, FILL OR OBSTRUCTION, INCLUDING FENCES, ARE LOCATED WITHIN A DRAINAGE EASEMENT, DELINEATED FLOOD PLAIN AREA OR DRAINAGE SWALE.

NONE OF THE LOTS IN THIS PLAT WILL BE DEVELOPED WITH DUPLEXES.

3. LOTS 1-32, TRACTS 998 & 999 HAVE BEEN APPROVED BASED ON AN APPROVED DRAINAGE PLAN WHICH REQUIRED IMPERVIOUS SURFACES AND DRAINS TO BE CONNECTED TO THE STORM WATER SYSTEM. SEE DRAINAGE PLAN FOR DETAILS.

- ARLINGTON RECOVERY CONTRACT NO. 97-1. RECORDED MARCH 19, 1997 UNDER AUDITOR'S FILE NUMBER 9703190034 AND THE TERMS AND CONDITIONS CONTAINED THEREIN.
- 10. THE LOTS WITHIN THIS SUBDIVISION WILL BE SUBJECT TO SCHOOL "JMPACT MITIGATION FEES FOR THE ARLINGTON SCHOOL DISTRICT TO BE - DETERMINED BY THE CERTIFIED AMOUNT WITHIN THE BASE FEE SCHEDULE IN EFFECT AT THE TIME OF BUILDING PERMIT APPLICATION, AND TO BE COLLECTED PRIOR TO BUILDING PERMIT ISSUANCE, IN ACCORDANCE WITH THE PROVISIONS OF SCC 26C.20.020.
- 11. PROXIMITY TO DESIGNATED FARMLAND DISCLOSURE: --YOUR REAL PROPERTY IS WITHIN, ADJACENT TO. OR WITHIN 1.300 FEET OF DESIGNATED FARMLAND: THEREFORE, YOU MAY BE SUBJECT TO INCONVENIENCES OR DISCOMFORTS ARISING FROM AGRICULTURAL ACTIVITIES, INCLUDING BUT NOT LIMITED TO NOISE, ODORS, FUMES, DUST, SMOKE, THE OPERATION OF MACHINERY OF_ANY KIND (INCLUDING AIRCRAFT), THE STORAGE AND DISPOSAL OF MANURE, THE APPLICATION BY SPRAYING OR OTHERWISE OF CHEMICAL OR ORGANIC -- FERTILIZERS, -SOIL -AMENDMENTS, HERBICIDES AND PESTICIDES, HOURS OF OPERATION, AND OTHER AGRICULTURAL ACTIVITIES. SNOHOMISH COUNTY HAS -AND OPTED A RIGHT TO FARM ORDINANCE WHICH MAY AFFECT YOU AND YOUR LAND. A COPY OF SAID ORDINANCE, CHAPTER 32.15 SCC. MAY BE OBTAINED FROM SNOHOMISH COUNTY.

AGRICULTURAE- ACTIVITIES CONDUCTED ON DESIGNATED FARMLANDS IN COMPLIANCE WITH ACCEPTABLE AGRICULTURAL PRACTICES AND ESTABLISHED PRIOR TO SURROUNDING NON-AGRICULTURAL ACTIVITIES ARE PRESUMED TO BE REASONABLE AND SHALL NOT BE FOUND TO CONSTITUTE A NUISANCE UNLESS THE ACTIVITIES HAVE A SUBSTANTIAL ADVERSE EFFECT ON THE PUBLIC HEALTH AND SAFETY.

THIS DISCLOSURE APPLIES TO THE REAL PROPERTY WHICH IS SUBJECT TO A '-DEVELOPMENT OR BUILDING PERMIT AS OF THE DATE OF THE DEVELOPMENT OR BUILDING PERMIT-APPROVAL OR, IN THE CASE OF REAL PROPERTY TRANSFERS, THE DISCLOSURE APPLIES TO THE SUBJECT PROPERTY AS OF THE DATE OF TRANSFER. THIS DISCLOSURE MAY NOT BE APPLICABLE THEREAFTER IF AREAS DESIGNATED_FARMLAND ARE CHANGED FROM THE FARMLAND DESIGNATION.

NOTHING IN CHAPTER- 32.15 SCC SHALL AFFECT OR IMPAIR ANY-RIGHT TO SUE. FOR DAMAGES. --

- 12. NO DIRECT ACCESS SHALL BE PERMITTED TO 47TH AVENUE N.E.
- 13. THIS LAND IS WITHIN THE INFLUENCE OF THE ARLINGTON MUNICIPAL AIRPORT ON WHICH AERONAUTICAL ACTIVITIES AS DEFINED IN-ROW CHAPTER 14-08 AND ARLINGTON MUNICIPAL CODE THE 14 ARE AND MAY BE CONDUCTED, INCLUDING OVERFLIGHT ACTIVITIES AND ACTIVITIES CREATING NOISE IMPACTS ON THE PROPERTY.
- 14. DRAINAGE FACILITY MAINTENANCE COVENANT AND TERMS AND TONDITIONS THEREOF RECORDED UNDER AUDITOR'S FILE NUMBER 200107030358
- 15. EASEMENT AND THE TERMS THEREOF: PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY DISTRIBUTION LINES. AREA AFFECTED: A 10 FOOT STRIP APPROXIMATELY AS DELINEATED THEREON. RECORDED: DECEMBER 31, 1992 RECORDING NUMBER: 9212310244
- 16. SCC TITLE 26A REQUIRES THE PER NEW UNIT FEE PAYMENT IN THE AMOUNT _-OF \$1077.00, FOR MITIGATION OF IMPACTS ON THE COUNTY PARK BISTERET THE DEVELOPER OF THIS SUBDIVISION HAS ELECTED TO DEFER THIS FEE PAYMEN PAYMENT OBLIGATION SHALL BE CONTAINED IN ANY DEEDS INVOLVING THIS SUBDIVISION OR THE LOT(S) THEREIN.
- 17. NATIVE GROWTH PROTECTION AREA EASEMENT IN CONSIDERATION OF SNOHOMISH COUNTY CODE (SCC) 32.10.240(3)(B) REQUIREMENTS, A NON-EXCLUSIVE NATIVE GROWTH PROTECTION AREA/EASEMENT (NGPA/E) IS HEREBY_GRANTED_ -ON THE SUBDIVISION. THE NATIVE GROWTH PROTECTION AREA/EASEMENT SHALL BE LEFT PERMANENTLY UNDISTURBED IN A SUBSTANTIALLY NATURAL STATE. NO CLEARING, GRADING, FILLING, BUILDING CONSTRUCTION, OR PLACEMENT, OR ROAD CONSTRUCTION OF ANY KIND SHALL OCCUR WITHIN SAID EASEMENT AREA: EXCEPT THE ACTIVITIES SET FORTH IN SNOHOMISH COUNTY CODE 32.10.110(29)(A), (C), AND (D) ARE ALLOWED. WHEN APPROVED BY THE COUNTY. SOME ACTIVITIES WHICH MAY BE PERMITTED ARE: (1) UNDERGROUND UTILITY CROSSINGS AND DRAINAGE DISCHARGE SWALES WHICH UTILIZE THE SHORTEST ALIGNMENT POSSIBLE AND FOR WHICH NO ALIGNMENT THAT WOULD AVOID SUCH A CROSSING IS FEASIBLE: (2) FENCES, WHEN THE CRITICAL AREA AND ITS BUFFER ARE NOT DETRIMENTALLY AFFECTED: (3) REMOVAL OF HAZARDOUS TREES BY THE PROPERTY OWNER: AND (4) OTHER USES AND DEVELOPMENT ACTIVITY AS ALLOWED BY SAID CODE. THE RIGHT TO USE AND POSSESS THE EASEMENT AREA IS RETAINED. PROVIDED THAT THE USE DOES NOT INTERFERE WITH, OBSTRUCT OR ENDANGER PURPOSE OF SAID EASEMENT. THE COUNTY, ITS SUCCESSORS AND ASSIGNS, SHALL HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM THIS EASEMENT AND ACROSS THE ADJACENT PROPERTY IN THIS SUBDIVISION FOR THE PURPOSE OF MONITORING AND ENFORCING PROPER OPERATION AND MAINTENANCE OF THE NATIVE GROWTH PROTECTION AREA EASEMENT. THE LOT OWNERS(S) SHALL BE RESPONSIBLE FOR OPERATING. MAINTAINING. REPAIRING AND RESTORING THE CONDITION OF THE NGPA/E IF ANY UNAUTHORIZED DISTURBANCE OCCURS. BY ACCEPTANCE OF THE EASEMENT FOR THE PURPOSES DESCRIBED, SNOHOMISH COUNTY DOES NOT ACCEPT OR ASSUME ANY LIABILITY FOR ACTS OR OMISSIONS OF THE LOT OWNER. HIS OR HER INVITEES, LICENSEES OR OTHER THIRD PARTIES WITHIN THE EASEMENT AREA. THE LOT OWNER HOLDS SNOHOMISH COUNTY HARMLESS FOR ANY CLAIM OF DAMAGE OR INJURY TO ANY PROPERTY OR PERSON BY ANY PERSON ENTERING THE EASEMENT AREA NOT EXPRESSLY AUTHORIZED TO DO SO BY SNOHOMISH COUNTY. THIS EASEMENT IS CREATED, GRANTED AND ACCEPTED FOR THE BENEFIT OF THE SUBDIVISION AND THE GENERAL PUBLIC, BUT SHALL NOT BE CONSTRUED TO PROVIDE OPEN OR COMMON SPACE FOR OWNERS WITH THE SUBDIVISION OF MEMBERS OF THE PUBLIC.

EASEMENT PROVISIONS

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL UTILITIES SERVING SUBJECT PLAT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THOSE AREAS AS SHOWN ON SHEET 3 OF 3 OF THIS PLAT, PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL LOTS, TRACTS AND COMMON AREAS IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, CABLES, PIPE, AND WIRES, WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, GAS, TELEVISION

CABLE AND OTHER UTILITY SERVICES TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS,

TRACTS AND COMMON AREAS FOR THE PURPOSES HEREIN STATED. DRAINAGE EASEMENTS DESIGNATED ON THE PLAT ARE HEREBY RESERVED FOR AND GRANTED TO SNOHOMISH COUNTY, EXCEPT THOSE DESIGNATED ON THE PLAT AS PRIVATE EASEMENTS, TOGETHER WITH THE RIGHT OF INGRESS, AND EGRESS, AND THE RIGHT TO EXCAVATE, CONSTRUCT, OPERATE, MAINTAIN, REPAIR AND/OR REBUILD AN ENCLOSED OR OPEN CHANNEL STORM WATER CONVEYANCE SYSTEM AND/OR OTHER DRAINAGE FACILITIES. UNDER, UPON OR THROUGH THE DRAINAGE EASEMENT.

A 10' PRIVATE DRAINAGE EASEMENT AS SHOWN ON SHEET 3 OF 3 OF THIS PLAT, ON LOTS 1-32, IS HEREBY CONVEYED, TOGETHER WITH ALL MAINTENANCE OBLIGATIONS TO INDIVIDUAL LOT OWNERS UPON THE RECORDING OF THIS PLAT. NOTE: NO LOT OWNER IS OBLIGATED TO MAINTAIN ABOVE THE POINT OF CONNECTION.

LAND SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT OF EVERGREEN MEADOWS IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 1 TOWNSHIP 31 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, AS REQUIRED BY STATE STATUTES: THAT DISTANCES, COURSES, AND ANGLES ARE SHOWN THEREON CORRECTLY: THAT THE MONUMENTS SHALL BE SET AND LOT AND BLOCK CORNERS SHALL BE STAKED CORRECTLY ON THE GROUND: THAT I FULLY COMPLIED WITH THE PROVISIONS OF THE STATE AND LOCAL STATUTES AND REGULATIONS GOVERNING PLATTING.

PLS 15655 CERTIFICATE NUMBER

JULY 18, 2002

AUDITOR'S CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF

THIS 5 THOMAN OF DEC 200 1 AT 14 MINUTES PAST 2 M. AND RECORDED IN

VOL. OF PLATS PAGE RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

BOB TERWILLIGER AUDITOR, SNOHOMISH COUNTY

BY: JERRELL GORMAN

THE ANT ORIGINATE WITH ROW SALE CALLEY REPORDING A PLATE MARIO MUSICAL AND AND THE TOPE THE NEXT VEALS

TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PROPERTY DESCRIBED HEREIN, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE. HAVE BEEN FULLY PAID AND DISCHARGED, INCLUDING 2002 TAXES. 11/20/2001

Bab Dantini TREASURER, SNOHOMISH COUNTY

12-5-2001 BY Fatty Valencer DEPUTY COUNTY TREASURER

COUNTY ENGINEER

EXAMINED AND APPROVED THIS 26 DAY OF NOV 2001.

Stewer Thurnsen SNOHOMISH COUNTY ENGINEER

PLANNING AND DEVELOPMENT SERVICES EXAMINED AND APPROVED THIS 26TOAY OF 1 by 56EO 0 1 _ _ - - - - - -

municon_

CHAIRMAN, COUNTY COUNCIL

EXAMINED, FOUND TO BE IN CONFORMITY WITH APPLICABLE ZONING AND OTHER LAND USE CONTROLS, AND NATIVE GROWTH PROTECTION AREA / EASEMENT ACCEPTED IN REGULAR SESSION BY - THE COUNTY DOUNCIL, AND APPROVED THIS 575 DAY OF DECEMBE 2001.

= APPROVED BY- THE SNOHOMISH COUNTY EXECUTIVE:

SHEET INDEX

SHEET NO. LEGAL DESCRIPTION, DECLARATIONS, DEDICATIONS, RESTRICTIONS, EASEMENTS, ACKNOWLEDGMENTS, ENGINEER'S CERTIFICATE, LAND SURVEYOR'S -CERTIFICATE, LAND SURVEYOR'S CERTIFICATE, AUDITOR'S CERTIFICATE TREASURER'S CERTIFICATE & SHEET-INDEX. -_ SECTION SUBDIVISION; FOUND SURVEY MARKERS! EXISTING CENTERLINE MONUMENT-TIES_& SHEET INDEX ._ -LOTS 1-32, TRACTS 998 & 999.

VOL. OF PLATS, PAGE

AUDITOR'S FILE NO. 200112055010.

SUBDIVISION NO: PFN 99-110457 SD FOR INDEXING: NW 1/4, SE 1/4 SEC. 16, TWP. 31 N., RGE., 5 E., W.M.

Date: AUGUST 23,-2001 **- 1208** Job Number:



